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HARFORD COUNTY GOVERNMENT

DEPARTMENT OF PUBLIC WORKS Division of Environmental Services

MEMORANDUM

DECEMBER 23, 2009

TO: See Distribution

FROM: *Lorraine Costello*
Lorraine Costello
Director of Administration

SUBJECT: Revision to Solid Waste Management Rules and Regulations

The Harford County Solid Waste Management Rules and Regulations have recently undergone a comprehensive update.

Through public advertisement, a public hearing was held on December 15, 2009 to review and discuss the revisions. At the end of the meeting, the hearing was closed. The revised documents are available on-line at <http://www.harfordcountymd.gov/Downloads.cfm?FormID=1291>. This notification is being submitted in accordance with Section 807 of the Harford County Charter.

These Rules and Regulations will become effective March 1, 2010.

TCH/kjs

cc: David R. Craig, Harford County Executive
William K. Boniface, Harford County Council President
Robert B. Cooper, P.E., Director of Public Works
John R. Scotten, Jr., County Treasurer
Thomas C. Hilton, P.E., Deputy Director, Division of Environmental Services
Gerald P. Scanlan, Chief, Bureau of Solid Waste Management
Daniel S. Pazdersky, P.E., Chief, Engineering and Administration

SOLID WASTE MANAGEMENT

RULES AND REGULATIONS

Pursuant to Section 807 of the Harford County Charter and Section 109-14 of the Harford County Code, the following Rules and Regulations are established to carry out the intent and purposes of Chapter 109 of the Harford County Code, to maintain compliance with the permits for the Harford Waste Disposal Center (“HWDC”) and the Harford Waste-To-Energy Facility (“HWTE”) and other solid waste management facilities, and to promote public health, safety and welfare of the residents of Harford County by promoting safe and efficient waste treatment, recycling, recovery and disposal practices.

1. General Provisions

1.01. All activities and operations relating to solid waste disposal in Harford County shall be conducted in accordance with all provisions of applicable laws, regulations, rules and permits, including but not limited to:

1.01.01. The Harford County Code (hereinafter “the Code”); and

1.01.02. Refuse Disposal Permit No. 2005-WMF-0098 and 2000-WMF-0570 and any other refuse disposal permits issued by the Maryland Department of the Environment for the Harford Waste Disposal Center (hereinafter “HWDC RDPs”); and

1.01.03. Refuse Disposal Permit No. 2007-WTE-0576

and any other refuse disposal permits, issued by the Maryland Department of the Environment for the Harford Waste-To-Energy Facility (hereinafter “WTE RDP”); and

1.01.04. These Rules and Regulations

1.01.05. In the event of a conflict, the most restrictive provision shall apply unless prohibited by operation of law.

1.02. Harford Waste Disposal Center (“HWDC”), hereinbefore and hereinafter referred to as HWDC, shall mean and refer to the Harford County landfill and other contiguous solid waste management facilities located at 3241 Scarboro Road in Street, Maryland.

1.03. Harford Waste To Energy (“HWTE”) facility, hereinbefore and hereinafter referred to as HWTE, shall mean and refer to the waste to energy facility located at 1 Magnolia Road in Joppa, Maryland, or a replacement facility for the same, which is operated by the Northeast Maryland Waste Disposal Authority under contract with Harford County.

2. Limitations on Refuse Disposal at HWDC

2.01. Acceptable Materials: Generally, municipal solid waste, consisting of trash and garbage, as defined by the Harford County Code §109-1, generated by residential, institutional, commercial and industrial operations may be accepted for disposal in the HWDC landfill.

2.02.

Prohibited Substances: Except as noted, the following material shall constitute "Prohibited Substances" and shall not be transported for disposal at the HWDC Landfill:

2.02.01.

Except as specified in Section 7, below, household appliances and other material composed primarily of metal, scrap metal;

2.02.02.

Friable asbestos or, except as specified in Section 8, below, non-friable asbestos;

2.02.03.

Controlled hazardous substances as defined by the Refuse Disposal Permits;

2.02.04.

Chemicals and chemical constituents, other than minimal quantities of waste material generated by individual residents from products packaged for residential use and commingled with household trash, including but not limited to:

2.02.04.01. Solvents or degreasers;

2.02.04.02. Paint thinners, turpentine and other petroleum based solvents;

2.02.04.03. Pesticides;

2.02.04.04. Herbicides; and

2.02.04.05. Fluorides or fluorocarbons;

- 2.02.05. Liquid waste or any waste containing free liquids
(See Refuse Disposal Permits);
- 2.02.06. Poisons;
- 2.02.07. Acidic or caustic liquids or materials;
- 2.02.08. Explosives or ordnance;
- 2.02.09. Hot ashes;
- 2.02.10. Special medical waste as defined in the Code of
Maryland Regulations (hereinafter "COMAR") 26.13.11.02B(10);
- 2.02.11. Radioactive hazardous substances as defined in
COMAR 26.15.02;
- 2.02.12. Automobiles, Recreation Vehicles, Motorcycles,
All Terrain Vehicles, or any other recreational or non-recreational
motorized vehicles;
- 2.02.13. Drums or tanks unless empty and flattened or
crushed with the ends removed; drums or tanks that have held hazardous
waste shall be emptied properly in accordance with COMAR 26.13.02.07;
- 2.02.14. Refillable compressed gas cylinders (refillable
20-pound capacity propane gas bottles may be accepted for recycling);
- 2.02.15. Animal carcasses resulting from medical
research or destruction of diseased animals;

- 2.02.16. Untreated liquid septage or sewage scavenger waste;
- 2.02.17. Chemical or petroleum cleanup material, unless specifically approved by the Chief of the Bureau of Solid Waste Management in accordance with the HWDC RDP;
- 2.02.18. Oil-based paint, stain and coatings in liquid form;
- 2.02.19. Loads or bags of yard trim material (may be accepted for recycling, see Section 16. below);
- 2.02.20. Logs or stumps;
- 2.02.21. Except as specified in Section 6, below, scrap tires;
- 2.02.22. Soil or earthen material that contains greater than 100 milligrams per kilogram of petroleum (> 100 ppm TPH);
- 2.02.23. Boats or camping trailers greater than 20-feet in length, or any boat/camping trailer that contains an engine, fuel tank or septage holding tank;
- 2.02.24. Soil, earthen material, asphalt, concrete, or rock, unless approved by the Chief of the Bureau of Solid Waste Management for use as a construction material or cover soil;
- 2.02.25. Construction and demolition debris, unless generated by work on a private residential property and delivered by a

Harford County resident in a private vehicle and constituting less than 25 percent by volume of a load of residential household waste. For purposes of this section, a private vehicle is defined as a privately-owned car, pick-up truck with a bed length up to eight (8) in length and a bed height no greater than three (3) feet, van or sport utility vehicle, or any of the aforementioned vehicles hauling a single axle trailer with a bed up to eight (8) feet in length and a bed height no greater than three (3) feet;

2.02.26. Any substance or material that is determined by the Chief of the Bureau of Solid Waste Management to present an unacceptable risk to the health and safety of employees or customers of the landfill, or requires specialized handling procedures beyond those regularly employed for disposal of municipal solid waste, or by nature of the material precludes the efficient use of landfill space for the beneficial use of Harford County residents; or

2.02.27. Any other substance or material prohibited by law or by the HWDC Refuse Disposal Permit.

2.03. The Chief of the Bureau of Solid Waste Management may require information regarding the chemical nature and the health and safety characteristics of any waste material, including but not limited to Material Safety Data Sheets or laboratory analysis results, prior to acceptance, delivery, and disposal of the waste. The person, company, or organization wishing to dispose of the waste in question shall provide all information requested by the Chief of the Bureau of Solid Waste Management at no

cost to the County. The Chief of the Bureau of Solid Waste Management shall render a decision on whether or not to accept the waste within five (5) regular County work days after the requested information is submitted.

3. Wastes Deposited for Treatment at the HWTE

3.01. "Non-Combustible Items" shall mean and include all appliances and bulky objects including but not limited to washers, dryers, dishwashers, refrigerators, television sets, computers, bicycles, motors, cash registers, water heaters, air conditioners, heat pumps, plumbing fixtures, metal strapping or any other like or similar items containing an abundance of inorganic material, metal or steel components or components primarily non-combustible in nature.

3.02. "Combustible Refuse" shall mean and include all refuse of Harford County residents, businesses, institutions, and governmental entities which does not contain any Prohibited Substances or any Non-Combustible Items;

3.03. Only Combustible Refuse which has been determined to comply with the applicable Refuse Disposal Permit shall be accepted for disposal and treatment at the HWTE.

4. Variances

4.01. The Chief of the Bureau of Solid Waste Management may allow variances to the rules regarding acceptable and prohibited materials in the event of an emergency or special circumstances, provided that:

4.01.01. Any material for which a variance is allowed is acceptable under the terms of the HWDC Refuse Disposal Permit or the HWTE Refuse Disposal Permit, as applicable, and all local, State and Federal laws, rules and regulations; or

4.01.02. Written permission is obtained from either the Maryland Department of the Environment or the Harford County Health Officer.

5. Waste Motor Oil, Gasoline and Antifreeze

5.01. Collection facilities for waste motor oil and antifreeze have been established at the HWDC and may be available at other satellite locations for use by Harford County residents. Each resident shall be limited to a maximum of ten (10) gallons per trip for disposal of waste oil or antifreeze.

5.02. A collection facility for waste gasoline has been established at the HWDC for use by Harford County residents. Each resident shall be limited to a maximum of ten (10) gallons of waste gasoline per trip. Waste gasoline shall be disposed of only at HWDC and not at satellite locations.

5.03. Waste motor oil which has been mixed with solvents or other materials shall not be accepted.

5.04. Waste antifreeze or waste antifreeze/water mixtures which have been mixed with other materials shall not be accepted.

5.05. Waste gasoline which has been mixed with other materials, other than oil for 2-cycle engines or minimal quantities of water, shall not be accepted.

5.06. Receptacles may be provided at collection sites for collection of oil containers and/or oil filters. No other waste may be deposited at the collection sites.

6. Tire Acceptance

6.01. Waste tires shall be accepted from individual Harford County residents at HWDC for off-site disposal, in accordance with the fee schedule established by Harford County Code. Not more than five (5) tires with outside diameter of not greater than 32 inches will be accepted. Any tires of larger diameter shall only be accepted if cut into quarters.

6.02. Waste tires from commercial, governmental or institutional sources shall not be accepted at the HWDC, but may be accepted at the HWTE if capacity is available. Such deliveries must be pre-arranged with the HWTE plant manager at disposal rates established by the HWTE plant manager.

7. Household Appliances and White Goods

Household appliances and white goods shall be accepted for disposal from Harford County residents and licensed Harford County haulers at the HWDC White Good area. The following items shall not be accepted:

7.01. batteries or pieces of batteries (wet cell batteries will be accepted at the HWDC recycling area);

- 7.02. gasoline or diesel tanks;
- 7.03. unspent air bag canisters;
- 7.04. barrels, heating oil tanks, drums, pails, buckets, paint and aerosol cans (unless drained and flattened);
- 7.05. closed containers;
- 7.06. cable, wire;
- 7.07. chain link fencing;
- 7.08. steel or cast iron borings or turnings;
- 7.09. fluorescent light ballasts;
- 7.10. compressed gas cylinders (refillable 20-pound capacity propane bottles will be accepted at the HWDC recycling area);
- 7.11. torch material; and
- 7.12. rebar.

8. Non-Friable Asbestos

8.01. Asbestos shall be accepted from Harford County residential customers only. No commercial businesses or commercially identifiable vehicles are permitted to dispose of asbestos at the Harford Waste Disposal Center.

8.02 Only non-friable asbestos shall be accepted (shingles, floor tiles). Friable asbestos such as pipe insulation shall not be accepted. All asbestos shall be double bagged in heavy duty trash bags (4-mil minimum).

8.03 Bags shall be taped shut or tied shut with sturdy tape, such as duct tape, or heavy-duty twine or flexible, plastic-coated wire.

8.04 Asbestos shall be accepted by appointment only on Tuesdays between 8 am and 2pm. For an appointment, residents must call 410-638-3638 (HWDC scale house). A log of incoming loads shall be maintained at the scale house, including the name, address and telephone number of the person bringing the asbestos.

8.05 Residential (private vehicle) disposal fees shall apply as mandated by current legislation and these rules and regulations.

8.06 Incoming loads of asbestos shall be inspected for compliance with these Rules and Regulations. Any loads not in compliance will be rejected in total.

8.07 The customer shall be escorted to the locked asbestos container by a County employee. Bags shall be carried by the customer(s) from their vehicle and placed, not thrown, into the asbestos disposal container through the side doors.

8.08 In the event that the agreement between the County and Baltimore County for the transportation and disposal of asbestos expires or is

terminated, the County shall immediately cease to accept asbestos in any form and this Section 8 shall become null and void.

9. Hours of Operation

9.01. The hours of operation of the HWDC are:

Monday – Saturday 7:00 a.m. – 3:00 p.m.

Closed on Sunday, all County Holidays, and other days designated by the County Administration. Any change in the hours of operation for the HWDC shall be publicized at least two (2) weeks in advance of said change.

9.02. The waste acceptance hours of the HWTE are:

Monday – Friday 7:00 a.m. – 5:00 p.m.

Saturday 7:00 a.m. – 1:00 p.m.

Closed on Sunday and major holidays (New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day). Any change in the hours of operation at the HWTE shall be publicized at least two (2) weeks in advance of such change. The HWTE facility may also be shut down without prior notice during maintenance periods or in the event that excessive amounts of waste are delivered to the facility.

9.03 The hours of operation of the yard trim collection and processing facilities will be adjusted seasonally and will be posted at the entrance to each facility as well as on the Harford County Government website.

10. General Rules and Regulations

10.01. All users of any County solid waste management facility or the HWTE ("Users") shall obey any signs or markers and shall follow the instructions of the facility operators or representatives regarding specific depositing or disposal procedures. In addition to any other enforcement action that may be taken under the Harford County Code, any user of the HWDC or the HWTE who refuses to follow directions or instructions or who acts in an unruly, dangerous or offensive manner may be ordered to leave the premises and, for serious or repeated infractions, may be banned by written order of the Director of Public Works for a period of time selected at his/her sole discretion.

All users shall, prior to entering the facility, provide proof of residency with documentation reflecting current address and county of residency, vehicle registration, source of waste, type of waste, and any other information necessary to identify the origin of the refuse being transported to or deposited at said facility. Waste material originating in Harford County but transported in an out-of-county or out-of-state vehicle shall be accepted only if one of the occupants can provide proof of residency in Harford County (i.e. utility bill, real estate tax statement, change of address document, or other suitable information).

It is County policy that waste originating from outside the geographical boundaries of Harford County shall not be transported to or be deposited at the HWDC;

Acceptable waste originating outside of Harford County may be accepted at the HWTE, at the sole discretion of the Chief of the Bureau of Solid Waste Management in accordance with the fees established by Section 158-28 of the Harford County Code. Any Commercial Hauler who wishes to dispose of acceptable waste originating outside of Harford County co-mingled with waste within Harford County shall first receive prior written permission from the Chief of the Bureau of Solid Waste Management after review of the specified routes in order to quantify that portion of acceptable waste originating outside of Harford County. All co-mingled wastes shall be disposed at the HWTE. Acceptable waste originating from outside of Harford County which was approved by the Chief of the Bureau of Solid Waste Management for acceptance at the HWDC prior to its delivery shall be considered to be "permitted out-of-County solid waste", and disposed of at the rate established in Harford County Code. Acceptable waste originating from outside of Harford County which was not approved by the Chief of the Bureau of Solid Waste Management for acceptance at the HWDC prior to its delivery shall be considered to be "unpermitted out-of-County solid waste", and disposed of at the rate established in Harford County Code. In the event that out-of-county waste is found in a load brought for deposit at the HWDC, the Chief of the Bureau of Solid Waste Management may, at his/her discretion, reject the load or accept the entire load for deposit at the unpermitted out-of-county solid waste fee. Whether the load is accepted or rejected, the Chief of the Bureau of Solid Waste Management may require the owner and/or operator of the delivery vehicle to forfeit and return any and all permits or vehicle licenses allowing that person or

entity to deposit refuse at a Harford County Solid Waste Management Facility. In addition to any other enforcement action that may be taken under the Code, the owner and/or operator may be barred from transporting waste to any Harford County Solid Waste Management Facility.

10.02. In accordance with Section ¶109-11 of the Harford County Code, any user shall secure the load in any vehicle or vehicle and trailer operated by said user both in transit to and in transit at any Harford County Solid Waste Facility of the HWTE to prevent refuse from falling or being blown from said vehicle. Any spillage or fallen debris from said vehicle shall be cleaned up immediately by the user. Failure to clean up spillage or fallen debris, or repeated infractions may result in revocation of the Commercial Hauler's Solid Waste Licenses or result in the Individual User being banned from use of the facilities by a written order from the Director of Public Works for a period of time selected by the Director of Public Works.

11. Rules for Individual Solid Waste Facility Users.

11.01. "Individual Solid Waste Facility User" (hereinafter "Individual User") shall mean and refer to any person who transports to any County Solid Waste Facility, refuse or recyclables generated by said person, his/her family, any blood relatives residing in Harford County or any Harford County resident living in the immediate vicinity of the residence of another County resident who is unable to transport his/her own refuse to a facility.

11.02. Each Individual User shall promptly dispose of the refuse or recyclables transported to the facility without any unusual delay or interruption of operation. Facility operations cease at the posted closing time, therefore all users arriving within 15 minutes of the posted closing time shall promptly dispose of their waste. Large loads from an Individual User which arrive within 15 minutes of the posted closing time and which would require considerable time to unload may be rejected.

11.03. An Individual User shall ensure that any children under the age of twelve and/or pets of the Individual User shall remain inside the vehicle while on the facility.

11.04. Homeowner bins are provided for Individual Users who desire to transport their own waste or recyclables to the HWDC. Individual Users shall not be permitted in the general fill and operating areas unless specifically directed by facility personnel.

11.05. Scavenging within the confines of any County Solid Waste Management Facility is strictly prohibited.

11.06. Open burning within the confines of any County Solid Waste Management Facility is strictly prohibited.

11.07. Individual Users shall not be permitted to dispose of waste at the HWTE.

12. Commercial Haulers

12.01. "Commercial Hauler" shall mean and refer to any person or entity that transports refuse or recyclables other than an Individual User. Each Commercial Hauler shall present each vehicle used exclusively for the transportation and disposal of municipal solid waste in Harford County annually for inspection and licensing in accordance with Section 109.2 of the Harford County Code.

12.02 Commercial Haulers, desiring to establish a credit account with Harford County Government for the purpose of monthly invoicing of tipping fees, shall complete a Landfill Credit Application Form. This application must be completed by the hauler, returned to Solid Waste Accounting and approved prior to disposing of any waste on their credit account at the HWDC or HWTE. An account number to be used in future billings will be assigned when the completed application is approved. The application will be kept on file by Solid Waste Accounting. Commercial Haulers shall provide periodic updates of credit information upon request by the County, or if the credit information has changed.

12.03 Commercial Haulers are not permitted to haul, transport or deliver Acceptable Materials or Combustible Refuse within Harford County to, or dispose of the same at, any solid waste management facility or place (within or outside of the County) other than HWDC or HWTE. Commercial Haulers shall deliver all Acceptable Materials and Combustible Refuse collected within Harford County to the HWTE, the HWDC, or a facility designated by the Chief of the

Bureau of Solid Waste Management. The HWTE is the preferred disposal facility.

At the discretion of the Chief of the Bureau of Solid Waste Management,

Commercial Haulers may be allowed to dispose of acceptable waste at a licensed disposal facility of their choice, other than the HWDC or HWTE, with prior written permission.

12.04 Each Commercial Hauler shall promptly dispose of the refuse or recyclables transported to the facility without any unusual delay or interruption of operation. Facility operations cease at the posted closing time, therefore all users arriving within 15 minutes of the posted closing time shall promptly dispose of their waste. Large loads from Commercial Haulers which arrive within 15 minutes of the posted closing time and which would require considerable time to unload may be rejected.

13. Payment Terms.

A receipt shall be issued to an Individual User for each cash transaction. A weigh ticket or receipt shall be issued for each transaction with a Commercial Hauler at the disposal site and must be signed by the Commercial Hauler (or agent representing the company). Payment is due upon disposal unless the Commercial Hauler has established an account for billing. Monthly invoices shall be sent to those Commercial Haulers who have established satisfactory credit with the County. Payment is due within thirty (30) days after the date of the invoice; thereafter, interest shall accrue at one and one-half (1.5) percent per month. Failure to pay a monthly invoice within sixty (60) days of the date of the invoice

shall immediately terminate the hauler's disposal privileges at the HWDC and the HWTE. In addition, the County may, at its discretion, revoke the disposal privileges of any Commercial Hauler which has had its disposal privileges revoked within the previous twelve months if payment for an outstanding invoice has not been made by the payment due date. Reinstatement of disposal privileges shall require payment in full of all past due amounts (including interest) plus any outstanding invoices, whether or not yet due. At the discretion of the Director of Public Works, a Commercial Hauler whose disposal privileges have been revoked for failure to pay may be allowed to resume disposal after entering into a written agreement for repayment of outstanding charges under such terms as the Director may impose.

14. Tipping Fee.

The tipping fee is a fee collected by Harford County for each ton of solid waste disposed at the HWDC or HWTE, as measured by the County scales, and charged based on those rates established by the Harford County Code. Each Commercial Hauler with an approved credit account shall be billed at the per-ton rate established by the Harford County Code for each ton or fraction thereof of acceptable materials generated within the boundaries of Harford County and permitted or unpermitted out-of-county waste deposited at the HWDC or the HWTE or any other county storage, disposal or treatment facility.

15. Enforcement

15.01. In addition to any other enforcement action that may be taken under the Harford County Code, the Director of the Department of Public Works, the Deputy Director of Environmental Services of the Department of Public Works or his/her designee may, depending upon the severity and frequency of the infraction, issue written warnings, temporary suspensions of licenses, or permanent suspension or revocation of a Commercial Hauler's license(s) or Individual User's privilege to transport and deposit refuse at any County Solid Waste Management Facility for violations of the Code or these Rules and Regulations. Any Commercial Hauler or Individual User whose license or privileges have been suspended or revoked shall forfeit and return all licenses issued to said Commercial Hauler or Individual User by the Harford County Department of Public Works.

16. Yard Trim Material Disposal

16.01. The following materials may be disposed of at any County-authorized Yard Trim Material collection site in the County:

- 16.01.01. Leaves;
- 16.01.02. Grass clippings;
- 16.01.03. Branches up to 6-inch diameter and 6-feet in length; and
- 16.01.04. Brush

16.02. The following materials are specifically prohibited from disposal at a County-authorized Yard Trim Material collection site within the County:

- 16.02.01. Bamboo;
- 16.02.02. Thistle;
- 16.02.03. Poison ivy;
- 16.02.04. Poison oak;
- 16.02.05. Poison sumac;
- 16.02.06. Stumps;
- 16.02.07. Root balls;
- 16.02.08. Soil;
- 16.02.09. Rocks;
- 16.02.10. Concrete;
- 16.02.11. Refuse;
- 16.02.12. Construction and demolition debris;
- 16.02.13. Diseased and insect infested plant material; and
- 16.02.14. Any other unacceptable material including but not limited to non-compostable or inorganic materials.

16.03. The following types of vehicles are prohibited from using the Tollgate Yard Trim Material collection facility:

16.03.01. Commercial vehicles; and

16.03.02. Dual axle trailers.

16.04. Leaves and grass clippings shall be segregated from woody materials.

17. Compost and Mulch Fees

17.01. The fees established by the County Code shall be charged for the purchase of bulk quantities of compost and mulch at the HWDC Yard Trim Collection Site.

17.02. Bulk loading of customer vehicles by County personnel and equipment will cease fifteen (15) minutes before the end of the scheduled work day.

17.03 Up to three (3) thirty-gallon plastic bags or containers of compost and mulch or the approximate equivalent amount, are available free of charge to a County resident who provides his/her own containers, provided that the resident self-loads the material.